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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/631,278	07/31/2003	Amy E. Battles	200206044-1	3756

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EXAMINER

PARKER, KENNETH

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/631,278

Applicant(s)

BATTLES, AMY E.

Examiner

Kenneth A Parker

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7/31/2003</u> .   | 6) <input type="checkbox"/> Other: ____.                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-15, 17-20 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Selker 5777704.**

Regarding claims 1, 8 10, and 17, the reference shows a shield unit comprising a display shield 201 coupled to a display enclosure wherein a display resides, so that the display shield may be selectively oriented, in at least a first position covering the display (figure 2, from behind), a second position shading the display from incident light (figure 3), and a third position retracted from the display (figure 4), and therefore the associated method.

Regarding 13, the device comprises means for coupling a coupling member to a display shield; and means for slideably coupling the coupling member to a track residing in a

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display enclosure to permit the display shield to be oriented in a protecting position covering the display, in a shading position shading the display from incident light, and in a retracted position locating the display shield behind the display (note slid 220 in groove 219 and the positions of figs 2-4).

Regarding claim 2, the reference shows a coupling member 220 coupled to the display shield, such that when the coupling member is disposed in a track 219 residing in the display enclosure, the coupling member slides within the track so that the display shield may be slideably changed to at least the first position, the second position and the third position.

Regarding claim 3, the references shows coupling member comprises a pin, and wherein a portion of the pin is disposed within the track so that the pin slides within the track, and regarding claim 4, the unit must further comprising a second coupling member coupled to the display shield, such that when the second coupling member is disposed in a second track residing in an opposing side of the display enclosure, the coupling member and the second coupling member slide within the track and the second track, respectively, so that the display shield may be selectively oriented in the first position, the second position and the third position to operate.

Regarding claim 5, the reference shows an attachment member 215 rigidly attached to the display shield and rigidly attached to the coupling member .

Regarding claim 6, the reference shows an attachment member rigidly 215 attached the coupling member; and a pin 220 coupling the attachment member and the display

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shield so that the display shield may be changed from the second position to a fourth position when the display shield is rotated about the pin.

Regarding claim 8, the reference shows the device can be rotated around the pin to a infinite number of intermediate angles, and therefore meets the step of rotating the display shield about a pin to orient the display shield in a fourth position.

Regarding claim 10, the means for rotating the display shield about a pin to orient the display shield in a fourth position to permit selectable shading of the display is met as the connecting structure is the same as applicants, so the means plus function language must be met.

Regarding claim 12, the means for sliding a coupling member along a track residing in a display enclosure wherein the display resides, the coupling member coupling the display shield and the display enclosure, such that a position of the display shield is adjustable to one of the first position, the second position and the third position is met as the connecting structure is the same as applicants, so the means plus function language must be met.

Regarding claim 14 a rotation means operable to permit the display shield to be rotated about the rotation means to a selectable shading position is met as the connecting structure is the same as applicants, so the means plus function language must be met.

Regarding claims 7, 15 at least one auxiliary shade screen coupled to the display shield, the auxiliary shade screen providing additional shading from incident light on the display is met by the projecting lip around the cover.

Regarding claim 18, the reference shows a electronic device coupled to the display enclosure.

Regarding claim 19, the language "wherein the electronic device is an image capture device" is intended use, and as any computer can be connected to a camera and used as an image capture device, the language is met by the reference.

Regarding claim 20, the reference shows a connector that extends the display enclosure outwardly from the electronic device so that when the display shield is in the third position, the display shield is retracted in a position behind the display enclosure in figures 2 and 4.

**Claims 1, 5-11, 13, 15-19 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Tao 5717566.**

Regarding claims 1, 8 10, and 17, the reference shows a shield unit comprising a display shield 201 coupled to a display enclosure wherein a display resides, so that the display shield may be selectively oriented, in at least a first position covering the display (figure 4), a second position shading the display from incident light (removed- described in the specification in column 5, lines 1-15), and a third position retracted from the display (figure 1), and therefore the associated method.

Regarding claim 5, the reference indicated the shield is attached with a hinge, and a hinge inherently has a pin and a rigid member.

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Regarding claim 6, the reference shows an attachment member rigidly attached with a hinge, and a hinge inherently has a pin and a rigid member, and so the that the display shield may be changed from the second position to a fourth position when the display shield is rotated about the pin.

Regarding claim 8, the reference shows the device can be rotated around the pin to a infinite number of intermediate angles, and therefore meets the step of rotating the display shield about a pin to orient the display shield in a fourth position (an infinite number of positions exist between the folded and upward state).

Regarding claim 10, the means for rotating the display shield about a pin to orient the display shield in a fourth position to permit selectable shading of the display is met as the connecting structure of a hinge is equivalent to applicants as rotation occurs around a pin.

Regarding claim 12, the means for sliding a coupling member along a track residing in a display enclosure wherein the display resides, the coupling member coupling the display shield and the display enclosure, such that a position of the display shield is adjustable to one of the first position, the second position and the third position is met as the connecting structure of a hinge is equivalent to applicants as rotation occurs around a pin.

Regarding claim 14 a rotation means operable to permit the display shield to be rotated about the rotation means to a selectable shading position is met as the connecting structure of a hinge is equivalent to applicants as rotation occurs around a pin.

Regarding claims 7, 15 at least one auxiliary shade screen coupled to the display shield, the auxiliary shade screen providing additional shading from incident light on the display is met by the elements 18 and 16.

16. The device of claim 15, further comprising an adjustable coupling means coupling the auxiliary shade screen to the display shield such that a position of the auxiliary shade screen is adjustable, as the auxiliary screens rotate around a pin as an inherent part of a hinge.

Regarding claim 18, the reference shows a electronic device coupled to the display enclosure.

Regarding claim 19, the language "wherein the electronic device is an image capture device" is intended use, and as any computer can be connected to a camera and used as an image capture device, the language is met by the reference.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth A Parker whose telephone number is 571-272-2298. The examiner can normally be reached on M-F 10:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 571-272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kenneth A Parker  
Primary Examiner  
Art Unit 2871